

MANSFIELD TOWNSHIP COMMITTEE MEETING

April 8, 2015

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star-Gazette and the Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Misertino, Mr. Watters, Deputy Mayor Kocher

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Watters made a motion to approve the minutes from the regular meeting held on March 25, 2015, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters

Nays: None

Absent: Mrs. Korczukowski, Mayor Clancy

Abstain: Kocher

Mr. Misertino made a motion to approve the minutes from the regular meeting held on March 30, 2015, which was seconded by Mr. Watters.

Ayes: Mr. Misertino, Mr. Watters, Deputy Mayor Kocher

Nays: None

Absent: Mrs. Korczukowski, Mayor Clancy

Abstain: None

BILL LIST:

Mr. Misertino made a motion to approve the bill list, which was seconded by Mr. Watters.

Ayes: Mr. Misertino, Mr. Watters, Deputy Mayor Kocher

Nays: None

Absent: Mrs. Korczukowski, Mayor Clancy

Abstain: None

CLERKS REPORT:

Ms. Hrebenak stated that the Township was awarded a grant through Tree Recovery for 1000 trees to replace the trees that were lost during the storms.

Mrs. Kocher made a motion to open up the tree pick up for the residents in the Township for the week of Earth Day, which was second by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Deputy Mayor Kocher
Nays: None
Absent: Mrs. Korczukowski, Mayor Clancy
Abstain:None

FINANCE REPORT:

Mr. Daniel stated that the resolution for a temporary emergency budget because the temporary budget only carries us through the first quarter and this should get us through to the budget being adopted.

Mr. Daniel stated that he and Mrs. Fascenelli were tasked with exploring the health benefits and the broker stated that we have a premium plan and pay a minimal cost.

Mr. Daniel stated that Mr. Ferry is not available for the Special Budget meeting on April 14th and requested that we change the date for the meeting to either April 16, 17 or 20th.

The Township Committee requested that we schedule the meeting April 20th at 6pm.

Mr. Misertino questioned the research that was done for the health benefits.

EMPLOYEES REPORTS:

Mrs. Fascenelli stated that the Green Team has been advertising for the Town Wide Yard sale and there are 31 residents that have signed up.

Mrs. Fascenelli stated that the flyers are being sent out for the Backyard Composting.

Mrs. Fascenelli stated that part of the requirement for the grant that the Green Team received was to do a report of what was done and the response from Sustainable Jersey was that this

Mrs. Kocher made a motion to enter into Executive Session at 8:00pm to discuss a matter covered by attorney client privilege, and a matter having to deal with OPRA, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Deputy Mayor Kocher
Nays: None
Absent: Mrs. Korczukowski, Mayor Clancy
Abstain:None

Return to regular session.

Roll Call: Mr. Misertino, Mr. Watters, Deputy Mayor Kocher

Mr. Lavery stated that during Executive Session there were three items addressed one was attorney client privilege having to do with an OPRA request, one was contractual with the Engineer, one was contractual with the prosecutor these minutes will be available at such time that the Committee determines they are no longer a threat to the public interest.

Mr. Watters made a motion to approve the temporary prosecutor, Charles Carro at an amount not to

exceed \$2400, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Deputy Mayor Kocher

Nays: None

Absent: Mrs. Korczukowski, Mayor Clancy

Abstain: None

RESOLUTION:

RESOLUTION 2015-44

WHEREAS, the State of New Jersey has, since 1963, required contractors of publicly funded projects to pay a so called Prevailing Wage on municipal projects costing over \$14,187, and on school projects costing over \$2,000; and

WHEREAS, during the Corzine administration, state legislation expanded the reach of the 1963 Prevailing Wage Law, thereby creating additional local property tax burdens (such as P.L. 2009, c.284, and P.L. 2009, c.249; and

WHEREAS, the Prevailing Wage Act created a large state bureaucracy to track and enforce compliance and to regulate contractors participating in public work, and onerous and growing Prevailing Wage administrative responsibilities have also been placed on local boards of education and municipalities; and

WHEREAS, State Prevailing Wage regulations guarantee wage premiums in excess of the Federal Fair Labor Standards Act such as double time for Sunday hours, time and one-half for hours worked in excess of an eight per day, time and one-half for Saturday, and up to 30% increases for shift work outside of morning starts. These requirements increase costs, and reduce flexibility when attempting to get projects completed quickly, efficiently, and at the minimal public disruption; and

WHEREAS, despite the existence of a 2% cap on local property taxes, the New Jersey Department of Labor has released wage determinations that mandate 4.6% increases in the costs per hour that local government have to pay to operators on road resurfacing projects; and

WHEREAS, these statutory and bureaucratic unfunded mandates can inflate the costs per hour that local government have to pay to operators on road resurfacing projects; and

WHEREAS, it makes absolutely no sense for the state government to simultaneously mandate higher expenses and lower revenue as required by the Prevailing Wage Act and the 2% cap respectfully.

NOW, THEREFORE, BE IT RESOLVED THAT, the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey believe that the competition of the open public bidding process should be free from mandatory Prevailing Wage restrictions, and that such freedom would facilitate better infrastructure conditions, lower property taxes and smaller state bureaucracy.

BE IT FURTHER RESOLVED, that this resolution be passed on to the New Jersey Congressional Delegation, members of the State Legislature and Governor Chris Christie, and the New Jersey League of Municipalities, requesting their assistance in abolishing the Prevailing Wage Laws which squander our citizen's hard earned tax dollars, cause the deterioration of our infrastructure, prevent job creation, and undermine the fiscal sustainability of the local governments of this state.

Mr. Watters made a motion to approve Resolution 2015-44, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Deputy Mayor Kocher

Nays: None

Absent: Mrs. Korczukowski, Mayor Clancy

Abstain:None

RESOLUTION NO. 2015-45

WHEREAS, the temporary municipal budget for the year 2015, was approved on the 1st day of January, 2015; and

WHEREAS, NJSA 40A:4-20 provides for the creation of an emergency temporary appropriation before the adoption of the budget; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2015 pursuant to the provision of NJSA 40A:4-20 including this resolution total \$870,000.00,

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Warren, that the following amendment to the temporary budget be made:

Temporary Appropriation:

| | |
|-----------------|--------------|
| Salaries &Wages | \$470,000.00 |
| Other Expenses | \$400,000.00 |

Mr. Watters made a motion to approve the passage of Resolution 2015-45, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Deputy Mayor Kocher

Nays: None

Absent: Mrs. Korczukowski, Mayor Clancy

Abstain:None

PUBLIC PORTION:

Donna Mulvihill, Valley Road, asked what a quorum is for the Township Committee, and asked Mr. Misertino if there was ever an occasion that there were three Committee members present at a Recreation Committee. Mrs. Mulvihill asked if it was ok for two Committee people to meet and exchange paperwork. Mrs. Mulvihill asked if it is ok if one of the Township Committee members meet with a person of the public and gives them documentation.

Mrs. Mulvihill asked Mr. Misertino what has been accomplished through Recreation for Parks.

Mr. Misertino stated that there have been a number of items that the Recreation Committee has completed. Mr. Misertino went through some of the accomplishments that the Recreation Committee has achieved.

Mrs. Mulvihill asked Mr. Misertino what the procedure is for background checks and what happens if someone gets into trouble.

Mrs. Mulvihill asked the Township Committee to add two more positions to the Recreation Committee for the park and gave the Committee members a mission statement for the Parks and Recreation.

Elizabeth Griggs, 545 Mount Bethel Road, asked why the money that was applied to the Church was not applied to the tennis courts.

Elizabeth Griggs asked about the codification and where it would be on the website on May 8.

Elizabeth Griggs asked what the outcome is with the millings.

Elizabeth Griggs asked that the Township Committee if there could be a standard for application for grants.

Joe Farino asked Mr. Misertino to look up Seal Master in Allentown for the repairs to the Tennis Courts.

Mr. Farino stated that the Township Committee should let the residents know that they are able to remove the trees and use the trees that are being offered for free from the grant to replace them.

Mr. Profrock asked if the distance to the sidewalk was addressed in the sidewalk ordinance.

Rich Gault spoke to the township committee of what was done with trees previously to remove them.

COMMITTEE PERSON COMMENTS:

Mr. Misertino had nothing to report.

Mr. Watters stated that we received a resignation from JoAnn Fascenelli from SWAC, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Deputy Mayor Kocher

Nays: None

Absent: Mrs. Korczukowski, Mayor Clancy

Abstain: None

Mr. Watters made a motion to approve the Court attending the Annual Court Conference and stated that the registration and room can be taken from the court budget, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Deputy Mayor Kocher

Nays: None

Absent: Mrs. Korczukowski, Mayor Clancy

Abstain: None

Mr. Watters stated that Mr. Dennis Bertland will be presenting a proposal for a consultant for the Mount Bethel Church.

Mr. Watters made a motion to go out to bid for the lease for the farmland at the recreation park, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Deputy Mayor Kocher

Nays: None

Absent: Mrs. Korczukowski, Mayor Clancy

Abstain:None

Mrs. Kocher stated that the interviews are completed for the position of Deputy Clerk and the second set of interviews will be held next week.

Mr. Watters made a motion to adjourn at 9:31pm, which was carried by all.